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JUL 29 2005

OFFICE OF PETITIONS

In re Application of	:	
Michael Farmer and Xunchang Chen	:	
Application No. 10/625,208	:	DECISION GRANTING
Filed: July 23, 2003	:	PETITION TO REVIVE
Attorney Docket No. 65858-0021	:	and
Title: SYSTEM OR METHOD FOR	:	DECISION ACCORDING
CLASSIFYING IMAGES	:	STATUS UNDER § 1.47(a)

This is in response to the RENEWED PETITION UNDER 37 CFR 1.137(b) AND 1.47 filed April 22, 2005. This also responds to the PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b) filed December 21, 2004.

The petition under 1.137(b) is GRANTED.

The petition under 1.47(a) is GRANTED.

The above-identified application became abandoned for failure to reply to the Notice to File Missing Parts of Application mailed December 1, 2003. The Notice set a period for reply of two (2) months from the mail date of the Notice, with extensions of time obtainable under 37 CFR 1.136(a). No reply having been timely received and no extensions of time obtained, the above-identified application became abandoned on February 2, 2004. A courtesy Notice of Abandonment was mailed on October 21, 2004.

By decision mailed February 25, 2005, a prior petition under § 1.47(b) was dismissed. A decision on the petition under

§ 1.137(b) filed concurrently was held in abeyance. On instant renewed petition, rule 47 applicant has sought reconsideration under the requirements of § 1.47(a), rather than § 1.47(b). Petitioner has submitted a declaration executed by previously non-signing inventor Farmer on behalf of himself and on behalf of non-signing inventor Chen.

A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by (1) the reply required to the outstanding Office action or notice, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Director may require additional information where there is a question whether the delay was unintentional; and (4) any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to 37 CFR 1.137(d).

The petition under § 1.137(b) as filed on December 21, 2004 included payment of the petition fee and a statement of unintentional delay. Petitioner now seeks to satisfy § 1.137(b) by way of submission of a declaration accepted pursuant to 37 CFR 1.47(a). Petitioner has met those requirements. Petitioner previously provided evidence to show that the application papers were presented to inventor Chen; however, by his/her conduct in not responding, he/she has refused to join in the application. The petition fee was charged to Deposit Account No. 18-0013, as authorized. The last known address of inventor Chen is deemed to be as set forth on the declaration.

The declaration filed April 22, 2005, and the petition have been reviewed and now found in compliance with 37 C.F.R. §1.47(a).

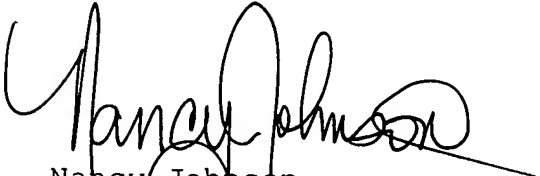
This application is hereby accorded Rule 1.47(a) status.

As provided in new Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

Having thereby met all requirements of § 1.137(b), the petition to revive is granted.

The Office of Initial Patent Examination (OIPE) has been advised of this decision. The application is, thereby, forwarded to OIPE for completion of pre-examination processing.

Telephone inquiries related to this decision should be directed to the undersigned at 571-272-3219.



Nancy Johnson
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Office of Petitions